

(2) by inserting in subsection (b) after "Congress" "or Executive Office of the President".

**SEC. 505. PENALTIES FOR KNOWING AND WILLFUL VIOLATIONS.**

(a) INCREASED PENALTIES.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) in paragraphs (5)(A), (6)(A), and (6)(B), by striking "\$5,000" and inserting "\$10,000"; and

(2) in paragraphs (5)(B) and (6)(C), by striking "\$10,000 or an amount equal to 200 percent" and inserting "\$20,000 or an amount equal to 300 percent".

(b) EQUITABLE REMEDIES.—Section 309(a)(5)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(5)) is amended by striking the period at the end and inserting ", and may include equitable remedies or penalties, including disgorgement of funds to the Treasury or community service requirements (including requirements to participate in public education programs)."

(c) AUTOMATIC PENALTY FOR LATE FILING.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) by adding at the end the following:

"(13) PENALTY FOR LATE FILING.—

"(A) IN GENERAL.—

"(i) MONETARY PENALTIES.—The Commission shall establish a schedule of mandatory monetary penalties that shall be imposed by the Commission for failure to meet a time requirement for filing under section 304.

"(ii) REQUIRED FILING.—In addition to imposing a penalty, the Commission may require a report that has not been filed within the time requirements of section 304 to be filed by a specific date.

"(iii) PROCEDURE.—A penalty or filing requirement imposed under this paragraph shall not be subject to paragraph (1), (2), (3), (4), (5), or (12).

"(B) FILING AN EXCEPTION.—

"(i) TIME TO FILE.—A political committee shall have 30 days after the imposition of a penalty or filing requirement by the Commission under this paragraph in which to file an exception with the Commission.

"(ii) TIME FOR COMMISSION TO RULE.—Within 30 days after receiving an exception, the Commission shall make a determination that is a final agency action subject to exclusive review by the United States Court of Appeals for the District of Columbia Circuit under section 706 of title 5, United States Code, upon petition filed in that court by the political committee or treasurer that is the subject of the agency action, if the petition is filed within 30 days after the date of the Commission action for which review is sought."

(2) in paragraph (5)(D)—

(A) by inserting after the first sentence the following: "In any case in which a penalty or filing requirement imposed on a political committee or treasurer under paragraph (13) has not been satisfied, the Commission may institute a civil action for enforcement under paragraph (6)(A)."; and

(B) by inserting before the period at the end of the last sentence the following: "or has failed to pay a penalty or meet a filing requirement imposed under paragraph (13)"; and

(3) in paragraph (6)(A), by striking "paragraph (4)(A)" and inserting "paragraph (4)(A) or (13)".

**SEC. 506. STRENGTHENING FOREIGN MONEY BAN.**

Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by striking the heading and inserting the following: "CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS"; and

(2) by striking subsection (a) and inserting the following:

"(a) PROHIBITION.—It shall be unlawful for—

"(1) a foreign national, directly or indirectly, to make—

"(A) a donation of money or other thing of value, or to promise expressly or impliedly to make a donation, in connection with a Federal, State, or local election to a political committee or a candidate for Federal office, or

"(B) a contribution or donation to a committee of a political party; or

"(2) a person to solicit, accept, or receive a contribution or donation described in paragraph (1)(A) from a foreign national."

**SEC. 507. PROHIBITION OF CONTRIBUTIONS BY MINORS.**

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) (as amended by sections 101 and 401) is amended by adding at the end the following:

**"SEC. 325. PROHIBITION OF CONTRIBUTIONS BY MINORS.**

An individual who is 17 years old or younger shall not make a contribution to a candidate or a contribution or donation to a committee of a political party."

**SEC. 508. EXPEDITED PROCEDURES.**

(a) IN GENERAL.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) (as amended by section 505(c)) is amended by adding at the end the following:

"(14)(A) If the complaint in a proceeding was filed within 60 days preceding the date of a general election, the Commission may take action described in this subparagraph.

"(B) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that there is clear and convincing evidence that a violation of this Act has occurred, is occurring, or is about to occur, the Commission may order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties.

"(C) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that the complaint is clearly without merit, the Commission may—

"(i) order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties; or

"(ii) if the Commission determines that there is insufficient time to conduct proceedings before the election, summarily dismiss the complaint."

(b) REFERRAL TO ATTORNEY GENERAL.—Section 309(a)(5) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(5)) is amended by striking subparagraph (C) and inserting the following:

"(C) The Commission may at any time, by an affirmative vote of at least 4 of its members, refer a possible violation of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986, to the Attorney General of the United States, without regard to any limitation set forth in this section."

**SEC. 509. INITIATION OF ENFORCEMENT PROCEEDING.**

Section 309(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(2)) is amended by striking "reason to believe that" and inserting "reason to investigate whether".

**TITLE VI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS**

**SEC. 601. SEVERABILITY.**

If any provision of this Act or amendment made by this Act, or the application of a pro-

vision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

**SEC. 602. REVIEW OF CONSTITUTIONAL ISSUES.**

An appeal may be taken directly to the Supreme Court of the United States from any final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

**SEC. 603. EFFECTIVE DATE.**

Except as otherwise provided in this Act, this Act and the amendments made by this Act take effect January 1, 1999.

**SEC. 604. REGULATIONS.**

The Federal Election Commission shall prescribe any regulations required to carry out this Act and the amendments made by this Act not later than 180 days after the date of the enactment of this Act.

It was decided in the { Yeas ..... 201  
negative ..... } Nays ..... 219

¶66.31

[Roll No. 275]

AYES—201

Aderholt	Goodlatte	Pappas
Archer	Goodling	Paul
Armey	Gordon	Paxon
Bachus	Goss	Pease
Baker	Graham	Peterson (MN)
Ballenger	Granger	Peterson (PA)
Barcia	Gutknecht	Petri
Barr	Hall (TX)	Pickering
Bartlett	Hansen	Pitts
Barton	Hastert	Pombo
Bateman	Hastings (WA)	Portman
Bilirakis	Hayworth	Poshard
Bishop	Hefley	Pryce (OH)
Bliley	Herger	Quinn
Blunt	Hill	Radanovich
Boehner	Hobson	Rahall
Bonilla	Hoekstra	Redmond
Bono	Hostettler	Regula
Brady (TX)	Hulshof	Riggs
Bryant	Hunter	Riley
Bunning	Hutchinson	Rogan
Burr	Hyde	Rogers
Burton	Inglis	Rohrabacher
Buyer	Istook	Ros-Lehtinen
Callahan	Jenkins	Royce
Calvert	Johnson, Sam	Ryun
Camp	Jones	Salmon
Canady	Kasich	Scarborough
Cannon	Kim	Schaefer, Dan
Chabot	King (NY)	Schaffer, Bob
Chambliss	Kingston	Scott
Chenoweth	Knollenberg	Sensenbrenner
Christensen	Kolbe	Sessions
Coble	LaHood	Shadegg
Coburn	Largent	Shaw
Collins	Latham	Shimkus
Combest	LaTourette	Shuster
Cook	Lewis (CA)	Skeen
Cooksey	Lewis (KY)	Smith (MI)
Costello	Linder	Smith (NJ)
Cox	Livingston	Smith (OR)
Crane	Lucas	Smith (TX)
Crapo	Manzullo	Smith, Linda
Cubin	McCollum	Snowbarger
Cunningham	McCrery	Solomon
Danner	McHugh	Souder
Davis (VA)	McInnis	Spence
DeLay	McIntosh	Stearns
Diaz-Balart	McKeon	Stump
Dickey	Mica	Stupak
Doolittle	Miller (FL)	Sununu
Dreier	Mollohan	Talent
Dunn	Moran (KS)	Tauzin
Ehlers	Murtha	Taylor (NC)
Ehrlich	Myrick	Thomas
Emerson	Nethercutt	Thornberry
English	Neumann	Thune
Ensign	Ney	Tiahrt
Everett	Northup	Trafigant
Ewing	Norwood	Watkins
Fossella	Nussle	Watt (NC)
Gekas	Oberstar	Watts (OK)
Gibbons	Ortiz	Weldon (FL)
Gingrich	Oxley	Weldon (PA)
Goode	Packard	Weller

White	Wicker	Wolf
Whitfield	Wilson	Young (FL)
NOES—219		
Abercrombie	Gejdenson	Millender-
Ackerman	Gephardt	McDonald
Allen	Gilchrest	Miller (CA)
Andrews	Gillmor	Minge
Baldacci	Gilman	Mink
Barrett (NE)	Green	Moakley
Barrett (WI)	Greenwood	Moran (VA)
Bass	Gutierrez	Morella
Becerra	Hall (OH)	Nadler
Bentsen	Hamilton	Neal
Bereuter	Harman	Obey
Berman	Hastings (FL)	Owens
Berry	Hefner	Pallone
Bilbray	Hilliard	Parker
Blagojevich	Hinche	Pascrell
Blumenauer	Hinojosa	Pastor
Boehlert	Holden	Pelosi
Bonior	Hooley	Pickett
Borski	Horn	Pomeroy
Boswell	Houghton	Porter
Boucher	Hoyer	Price (NC)
Boyd	Jackson (IL)	Ramstad
Brady (PA)	Jackson-Lee	Rangel
Brown (CA)	(TX)	Reyes
Brown (FL)	Jefferson	Rivers
Brown (OH)	Johnson (CT)	Rodriguez
Campbell	Johnson (WI)	Roemer
Capps	Johnson, E. B.	Rothman
Cardin	Kanjorski	Roukema
Carson	Kaptur	Roybal-Allard
Castle	Kelly	Sabo
Clay	Kennedy (MA)	Sanchez
Clayton	Kennedy (RI)	Sanders
Clement	Kennelly	Sandlin
Clyburn	Kildee	Sanford
Condit	Kilpatrick	Sawyer
Conyers	Kind (WI)	Saxton
Coyne	Klecza	Schumer
Cramer	Klink	Serrano
Cummings	Klug	Shays
Davis (FL)	Kucinich	Sherman
Davis (IL)	LaFalce	Sisisky
DeFazio	Lampson	Skaggs
DeGette	Lantos	Skelton
Delahunt	Lazio	Slaughter
DeLauro	Leach	Smith, Adam
Deutsch	Lee	Snyder
Dicks	Levin	Spratt
Dingell	Lewis (GA)	Stabenow
Dixon	Lipinski	Stenholm
Doggett	LoBiondo	Strickland
Dooley	Lofgren	Tanner
Doyle	Lowey	Tauscher
Duncan	Luther	Taylor (MS)
Edwards	Maloney (CT)	Thompson
Eshoo	Maloney (NY)	Thurman
Etheridge	Manton	Tierney
Evans	Markey	Torres
Farr	Martinez	Towns
Fattah	Mascara	Turner
Fawell	Matsui	Upton
Fazio	McCarthy (MO)	Velazquez
Filner	McCarthy (NY)	Vento
Foley	McDermott	Visclosky
Forbes	McGovern	Walsh
Ford	McHale	Wamp
Fox	McIntyre	Waters
Frank (MA)	McKinney	Waxman
Franks (NJ)	Meehan	Wexler
Frelinghuysen	Meek (FL)	Weygand
Frost	Meeks (NY)	Wise
Furse	Menendez	Woolsey
Gallegly	Metcalf	Wynn
Ganske		
NOT VOTING—15		
Baesler	Hilleary	Payne
Deal	John	Rush
Engel	McDade	Stark
Fowler	McNulty	Yates
Gonzalez	Olver	Young (AK)

So the amendment, as modified, to the amendment in the nature of a substitute was not agreed to.

After some further time,

#### ¶66.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FOSSELLA to the foregoing amendment in the nature of a substitute submitted by Mr. SHAYS:

#### Amendment submitted by Mr. FOSSELLA:

Add at the end of title V the following new section (and conform the table of contents accordingly):

#### SEC. 510. PROHIBITING NON-CITIZEN INDIVIDUALS FROM MAKING CONTRIBUTIONS IN CONNECTION WITH FEDERAL ELECTIONS.

(a) PROHIBITION APPLICABLE TO ALL INDIVIDUALS WHO ARE NOT CITIZENS OR NATIONALS OF THE UNITED STATES.—Section 319(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by striking “and who is not lawfully admitted” and all that follows and inserting the following: “or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contributions or expenditures made on or after the date of the enactment of this Act.

It was decided in the { Yeas ..... 282  
affirmative ..... } Nays ..... 126

¶66.33	[Roll No. 276]	
	AYES—282	
Aderholt	Doyle	Jones
Archer	Dreier	Kaptur
Arney	Duncan	Kasich
Bachus	Dunn	Kelly
Baker	Edwards	Kennedy (MA)
Baldacci	Ehrlich	Kennelly
Ballenger	Emerson	Kildee
Barcia	English	Kingston
Barr	Ensign	Klecza
Barrett (NE)	Eshoo	Klink
Bartlett	Etheridge	Klug
Barton	Evans	Knollenberg
Bass	Everett	Kolbe
Bateman	Ewing	Kucinich
Bentsen	Fawell	LaFalce
Bereuter	Foley	LaHood
Berry	Forbes	Largent
Bilbray	Fossella	Latham
Bilirakis	Fox	LaTourette
Bishop	Franks (NJ)	Lazio
Bliley	Frelinghuysen	Leach
Blunt	Gallegly	Levin
Boehner	Ganske	Lewis (CA)
Bonilla	Gejdenson	Lewis (KY)
Bono	Gekas	Linder
Boswell	Gibbons	Lipinski
Boucher	Gilchrest	Livingston
Boyd	Gillmor	LoBiondo
Brady (TX)	Gilman	Lucas
Brown (OH)	Goode	Luther
Bryant	Goodlatte	Maloney (CT)
Bunning	Goodling	Manzullo
Burr	Gordon	Markey
Buyer	Goss	Mascara
Callahan	Graham	Matsui
Calvert	Granger	McCarthy (MO)
Camp	Green	McCollum
Canady	Greenwood	McCrery
Cannon	Gutknecht	McHugh
Castle	Hall (TX)	McInnis
Chabot	Hamilton	McIntyre
Chambliss	Hansen	McKeon
Chenoweth	Harman	Metcalf
Christensen	Hastert	Mica
Clement	Hastings (WA)	Miller (FL)
Coble	Hayworth	Moakley
Coburn	Hefley	Moran (KS)
Collins	Herger	Myrick
Combest	Hill	Nethercutt
Condit	Hinche	Neumann
Cook	Hobson	Ney
Cooksey	Hoekstra	Northup
Costello	Holden	Norwood
Cox	Hooley	Nussle
Coyne	Horn	Obey
Cramer	Hostettler	Oxley
Crane	Houghton	Packard
Crapo	Hulshof	Pappas
Cubin	Hunter	Parker
Cunningham	Hutchinson	Paul
Danner	Hyde	Paxon
Davis (VA)	Inglis	Pease
DeLauro	Istook	Peterson (MN)
DeLay	Jenkins	Peterson (PA)
Dickey	Johnson (WI)	Petri
Dooley	Johnson, Sam	Pickering

Pickett	Sawyer	Stump
Pitts	Saxton	Stupak
Pomeroy	Scarborough	Sununu
Portman	Schaffer, Bob	Tauscher
Poshard	Schumer	Tauzin
Price (NC)	Sensenbrenner	Taylor (MS)
Pryce (OH)	Sessions	Taylor (NC)
Quinn	Shadegg	Thomas
Radanovich	Shaw	Thune
Rahall	Sherman	Thurman
Ramstad	Shimkus	Tiahrt
Redmond	Sisisky	Trafigant
Regula	Skeen	Turner
Riggs	Skelton	Upton
Riley	Smith (MI)	Walsh
Rivers	Smith (NJ)	Wamp
Roemer	Smith, Adam	Watkins
Rogan	Smith, Linda	Watts (OK)
Rogers	Snowbarger	Weldon (FL)
Rohrabacher	Snyder	Weldon (PA)
Rothman	Solomon	Weller
Roukema	Souder	White
Royce	Spence	Whitfield
Ryun	Spratt	Wicker
Salmon	Stabenow	Wilson
Sanchez	Stearns	Wise
Sanders	Stenholm	Wolf
Sandlin	Strickland	Young (FL)

#### NOES—126

Abercrombie	Gutierrez	Morella
Ackerman	Hastings (FL)	Murtha
Allen	Hefner	Nadler
Andrews	Hilliard	Neal
Barrett (WI)	Hinojosa	Oberstar
Becerra	Hoyer	Ortiz
Berman	Jackson (IL)	Owens
Blagojevich	Jackson-Lee	Pallone
Blumenauer	(TX)	Pascrell
Boehlert	Jefferson	Pastor
Bonior	Johnson (CT)	Pelosi
Borski	Johnson, E. B.	Pombo
Brady (PA)	Kanjorski	Porter
Brown (CA)	Kennedy (RI)	Rangel
Brown (FL)	Kilpatrick	Reyes
Campbell	Kim	Rodriguez
Capps	Kind (WI)	Ros-Lehtinen
Cardin	King (NY)	Roybal-Allard
Carson	Lampson	Sabo
Clay	Lantos	Sanford
Clayton	Lee	Scott
Clyburn	Lewis (GA)	Serrano
Conyers	Lofgren	Shays
Cummings	Lowey	Skaggs
Davis (FL)	Maloney (NY)	Slaughter
Davis (IL)	Manton	Stokes
DeFazio	McCarthy (NY)	Talent
DeGette	McDermott	Tanner
Delahunt	McGovern	Thompson
Diaz-Balart	McHale	Thornberry
Dicks	McIntosh	Tierney
Dingell	McKinney	Torres
Dixon	Meehan	Towns
Doolittle	Meek (FL)	Velazquez
Ehlers	Meeks (NY)	Vento
Engel	Menendez	Visclosky
Farr	Millender-	Waters
Fazio	McDonald	Watt (NC)
Filner	Miller (CA)	Waxman
Ford	Minge	Weygand
Frank (MA)	Mink	Woolsey
Frost	Mollohan	Wynn
Furse	Moran (VA)	

#### NOT VOTING—26

Baesler	Hall (OH)	Schaefer, Dan
Burton	Hilleary	Shuster
Deal	John	Smith (OR)
Deutsch	Martinez	Smith (TX)
Doggett	McDade	Stark
Fattah	McNulty	Wexler
Fowler	Olver	Yates
Gephardt	Payne	Young (AK)
Gonzalez	Rush	

So the amendment to the amendment in the nature of a substitute was agreed to.

After some further time,

THE SPEAKER pro tempore, Mr. PICKERING, assumed the Chair.

When Mr. GIBBONS, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.